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SUBJECT: 2007 TANZANIA REPORT ON THE WORST FORMS OF CHILD LABOR

¶11. (U) The Government of Tanzania (GOT) passed a National Strategy and two new labor laws criminalizing child labor in 2004 and awareness of the issue continues to increase across the country as the Tanzanian government continues to partner with non-governmental organizations (NGOs) on projects to reduce child labor through activities such as the Timebound Program (TBP). However, child labor remains a problem in Tanzania, compounded by a weak educational system, rural-urban migration, and the scourge of HIV/AIDS. While attempting to cope with child labor directly through legislation and education, the GOT has also made reducing poverty the number one priority on its national agenda. END SUMMARY.

Incidence and Nature of Child Labor:

¶12. (U) According to a report from the National Bureau of Statistics (NBS), an estimated 35.4 percent of children ages 5 to 14 were working in 2000-2001. New data on child labor was collected in 2005/06, but the NBS has yet to publish an updated Integrated Labor Force Survey Report since the 2001 report. Post is in contact with the International Labor Organization (ILO) and the GOT Ministry of Labor and will report on the most recent figures from the NBS report as soon as possible.

¶13. (U) Agriculture remains the largest sector of Tanzania's economy and children continue to work on tea, coffee, sugar cane, sisal, cloves, and tobacco farms, and in the production of wheat, corn, green algae, pyrethrum and rubber. On Zanzibar, children work primarily in the market place, in fishing, and in some hotels. Incidences of child labor in Tanzania occur primarily in the informal sector of the economy, which accounts for over 50 percent of the economy according to the World Bank. The Ministry of Labor, Employment and Youth Development, stressed the growing orphan population from the scourge of HIV/AIDS as an important cause of child labor, since orphans are often vulnerable to involvement in exploitative labor.

¶14. (U) A U.S. based NGO working in Tanzania, Winrock International, has observed a growing level of awareness across the country about the criminal nature of child labor. Winrock has noted that large-scale farms rarely use child labor any longer as employers have been sensitized to the new 2004 labor laws that criminalize child labor. The Ministry of Labor and the ILO have noted that Trade Unions are beginning to provide an important measure of oversight.

¶15. (U) Based on statistics provided by the Ministry of Education and Vocational Training, the 2007 gross primary enrollment was 114.4 percent and net primary enrollment was 97.3 percent compared to 112.7 and 96.1 percent respectively in 2006. The June 2007 Basic Education Statistics in Tanzania (BEST) Report outlined the following improvements in the education sector from 2006-2007:

-- Improvement in the teacher to pupil ratio from 1:53 to 1:52;
-- 860 new public schools and 64 non-government private schools;
-- An additional 113,823 children between 5-6 years of age enrolled for pre-Primary education;

Basic enrolment has increased by 4.8% from 1,316,727 in 2006 to 1,379,291 in 2007. This seems to indicate that as more schools are built at the village level, parents are inclined to enroll their children in schools instead of keeping them engaged in child labor.

¶6. (U) Tanzania's primary schools are crowded as a result of free Universal Primary Education. The percentage of all primary school students who continue on to secondary school has risen to 84.3 percent compared to 36.5 percent in the previous year. The percentage of those going on from primary school to complete their secondary education is still low but growing.

Legislation and Enforcement:

¶7. (U) In 2004, the Union Government of Tanzania (GOT) passed the Employment and Labor Relations Act No.6 and the Labor Institutions Act No.7, both of which provide for the protection of children from exploitation in the workplace and prohibit forced or compulsory labor. The Employment and Labor Relations Act includes a specific prohibition of forced labor by children. Unlike the previous law, the new labor laws establish a criminal punishment for employers that use illegal child labor as well as forced labor. Violators can be fined an amount not to exceed 5 million shillings (USD 4,382.12), imprisonment for a term of one year, or both. By law, children under the age of 18 are prohibited from being employed in mines, factories, ships or other worksites that the Minister of Labor deems to be hazardous.

¶8. (U) The legislative Acts of 2004 became operational in December 2006 and the implementing regulations took effect in March, 2007. According to Mr. Festo Musee, Child Labor Unit coordinator at the Ministry of Labor, Employment and Youth Development, the Ministry has worked diligently in 2005 and 2006 to establish institutions, such as the Commission for Mediation, which will enable the GOT to enforce the 2004 labor laws. In May 2006, the GOT formally reaffirmed its commitment to the USG to fight trafficking in persons. The GOT has stepped up efforts on the legislative front, with Ministry of Justice drafting an anti-trafficking in persons (TIP) bill in 2006. According to the Attorney General's Office, the legislation is expected to be submitted to Parliament for the first reading in 2008.

¶9. (U) Several government agencies have jurisdiction over areas related to child labor, but primary responsibility for enforcing the country's child labor laws rests with the Ministry of Labor. Although the Ministry of Labor reportedly made inspections throughout the year and issued warnings to violators of child labor statutes, there were no reported child labor court cases in 2007. The low number of labor officers and the low salaries officers receive undermines the enforcement abilities. The Ministry of Labor is also faced a high level of turn-over among its labor officers.

¶10. (U) In Zanzibar, which has a separate Ministry of Labor laws covering the issue of Child Labor, the law prohibits employment of children under the age of 18 years, depending on the nature of the work. The Employment Act N.11 of 2005 categorizes child labor practices as (a) ordinary practices for child labor, and (b) the worst forms of child labor. The penalties for category (a) offenses are a fine of 500,000 shillings (USD 350.57) or imprisonment of up to 6 months. For category (b) offenses, a fine of not less than 3 million shillings (USD 2,629.27) or imprisonment of at least one year, or both. In 2006, Zanzibar's Ministry of Labor did not prosecute any cases of child labor.

GOT Policies and Programs:

¶11. (U) In November 2006, the Union Government's Ministry of Labor and Ministry of Education began working in partnership with Winrock International, a U.S. based non-government organization, to implement a five year project known as TEACH- Tanzanian Educational Alternatives For Children. TEACH will work in five of Tanzania's most remote districts to reduce the overall number of children and/or youth engaged in the worst forms of child labor. The TEACH project will establish non-formal Primary Feeder schools, Model Farm schools, and will provide scholarships and student kits for children to attend government schools. The project will be implemented over five years with a USD 5 million budget, funded by the U.S.

Department of Labor (USDOL).

¶12. (U) The GOT has been working with the ILO-IPEC to implement the USDOL-funded Timebound Program (TBP) to eliminate the worst forms of child labor in Tanzania by 2010, including child labor in agriculture, domestic service, mining, fishing, and prostitution. The Child Labor Unit of the Ministry of Labor is working with ILO-IPEC under the Tanzanian Government TBP to provide training for district child labor coordinators and district officials in the TBP's 11 target districts, to increase their capacity to combat the worst forms of child labor. According to the ILO, Phase I of the ILO-IPEC Project of support to the Tanzanian Government TBP was implemented by August 2006, with completion of a National Strategy to Combat the Worst Forms of Child Labor, a monitoring system, and an awareness campaign launched through the Ministry of Education and Ministry of Community Development. Phase II, which will involve expanding Phase I programs at the district level, is expected to be complete by the end of 2008.

¶13. (U) In January 2006, a U.S. based NGO known as the Education Development Center (EDC) handed over learning centers to the Ministry of Education and Vocational Training, which the EDC had established in partnership with the Ministry from 2004-2005. The purpose of the learning centers is to ensure children who are at risk of entering the worst forms of child labor have access to basic, quality education.

Comment:

¶14. (U) In 2007, weaknesses in the education system, the HIV/AIDS epidemic, and the high level of poverty in Tanzania, continued to make Tanzanian children vulnerable to exploitation in the labor market. However, the level of awareness about child labor appears to be on the rise in Tanzania, stemming from the efforts of the GOT and partner NGOs working in the most vulnerable regions across the country. Tanzania has also made significant strides to improve its primary education system. Opportunities for secondary education have also improved with the mass building of new schools, however, finding well trained teachers remains a major challenge. Enforcement efforts in Tanzania have been hindered by the lack of institutional capacity to ensure labor laws become enforceable on a national scale and the fact that many children are employed in the informal sector of Tanzania's economy. END COMMENT.

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